

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

DAVID WEXLER,

Plaintiff,

- against -

USIC LOCATING SERVICES, LLC

Defendant.

Docket No. 2:20-cv-1370-DRH-ARL

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon this Notice of Motion; the declaration of James H. Freeman and exhibits attached thereto, the Memorandum of Law and the pleadings and prior proceedings herein; Plaintiff David Wexler will move the Court, before the Honorable Denis R. Hurley (U.S.D.J.) at the United States District Court, 814 Federal Plaza, Central Islip, NY 11722 at a time and place determined by the Court for an Order GRANTING Plaintiff's application for default judgment under Fed.R.Civ. P. 55(b)(2) and Local Rule 55.2 in the amount of \$7,500.00 in statutory damages under 17 U.S.C. § 504(c); \$5,000.00 in statutory damages under 17 U.S.C. § 1202(c)(3)(B); \$245.00 in attorneys' fees and \$440.00 costs under 17 U.S.C. § 505; and for such further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that Defendant's opposition papers, if any, must be served within 14 days after service of these motion papers upon Defendant in accordance with L.R. 55.2.

Respectfully Submitted,

LIEBOWITZ LAW FIRM, PLLC

s/jameshfreeman/

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TO:

USIC Locating Services, LLC

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*Defendant*